

**Johnson, Matthew J. (USTP)**

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**From:** Daniel Garrison <info@protegolaw.com>  
**Sent:** Wednesday, January 20, 2021 7:56 AM  
**To:** Johnson, Matthew J. (USTP)  
**Subject:** Re: McAvity Check-In

Matt:

I think they have the docs ready. I haven't seen narrative response drafts from Tom. I'm finishing a brief this morning in another case and then I'll check in with Tom and his paralegal and circle back to you today.

Dan Garrison  
Managing Director  
Fresh Start Funding  
1805 North Scottsdale Road, Suite 100  
Tempe, Arizona 85281  
Main: (480) 504-5844  
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"Making a fresh start affordable and accessible to everyone"

Sent from my iPad2

On Jan 20, 2021, at 8:40 AM, Johnson, Matthew J. (USTP) <Matthew.J.Johnson@usdoj.gov> wrote:

Dan,

The agreed extension date of 1/15 for the production of discovery came and went. I believe that we have already met our obligation to met and confer, so I will be filing a motion to compel shortly. Normally, I wouldn't let a case drag on like this, and I would like to start moving forward. Do you have any time to talk in the next day or two?

Best regards,

**Matthew J.P. Johnson**  
Trial Attorney  
United States Department of Justice  
Office of the United States Trustee  
700 Stewart Street, Suite 5103  
Seattle, WA 98101  
(206) 553-2000, ext. 222

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by telephone at the number above, and delete the message and any attachments from your system. Thank you.

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**From:** Daniel Garrison <info@protegolaw.com>  
**Sent:** Monday, January 4, 2021 2:25 PM  
**To:** Johnson, Matthew J. (USTP) <Matthew.J.Johnson@UST.DOJ.GOV>  
**Subject:** RE: McAvity Check-In

Matt:

This looks fine, and thanks for putting them together. I think I told you I contracted COVID, and was out for over two weeks right before the holidays, and then was able to still get in a portion of my planned vacation with my family between Christmas and New Year. I'm sorry I haven't been very responsive over the last handful of weeks.

Last I checked in with Tom's paralegal, she was on track to be completed with discovery by the continued deadline. I'll get you an update this week.

Thanks. -Dan

***Daniel E. Garrison, Esq.***

Managing Partner & Lead Litigation Counsel

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[<image002.jpg>](#)

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**From:** Johnson, Matthew J. (USTP) <[Matthew.J.Johnson@usdoj.gov](mailto:Matthew.J.Johnson@usdoj.gov)>  
**Sent:** Monday, December 28, 2020 4:02 PM  
**To:** Daniel Garrison <[info@protegolaw.com](mailto:info@protegolaw.com)>  
**Subject:** RE: McAvity Check-In

Dan,

I have attached a stipulation and order to extend the trial dates. Please let me know if you would like to make any changes.

Happy Holidays,

Matt

**Matthew J.P. Johnson**

Trial Attorney  
United States Department of Justice  
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Seattle, WA 98101  
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**From:** Daniel Garrison <[info@protegolaw.com](mailto:info@protegolaw.com)>  
**Sent:** Monday, December 21, 2020 6:35 AM  
**To:** Johnson, Matthew J. (USTP) <[Matthew.J.Johnson@UST.DOJ.GOV](mailto:Matthew.J.Johnson@UST.DOJ.GOV)>  
**Subject:** RE: McAvity Check-In

Matt:

I'm working directly with his paralegal to get the documents together. Contrary to my prior impression, they're not compiling the documents in categories; rather, she's pulling together each debtor's file with all of the constituent items your requests identify. It looks like she's about 65% of the way there. Given the holidays being imminent, I'd like to get until Friday, January 15<sup>th</sup> to complete the production.

[REDACTED]

Thanks. -Dan

***Daniel E. Garrison, Esq.***

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**From:** Johnson, Matthew J. (USTP) <[Matthew.J.Johnson@usdoj.gov](mailto:Matthew.J.Johnson@usdoj.gov)>  
**Sent:** Thursday, December 17, 2020 1:41 PM  
**To:** Daniel Garrison <[info@protegolaw.com](mailto:info@protegolaw.com)>  
**Subject:** RE: McAvity Check-In

Dan,

I never heard back so I am just checking in. 

How much longer does he need for discovery, and is there a date below that works. If he would consider leaving practice in WA, I can run it up the flagpole and probably have this issue resolved fairly quickly. Again, no promises on this resolving all issues, Division may still want to see the discovery and possibly some disgorgement, but I may be able to convince the Program that this is the best result for all parties.

Let me know.

Best regards,

**Matthew J.P. Johnson**  
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**From:** Johnson, Matthew J. (USTP)  
**Sent:** Monday, December 7, 2020 3:10 PM  
**To:** Daniel Garrison <[info@protegolaw.com](mailto:info@protegolaw.com)>  
**Subject:** RE: McAvity Check-In

Dan,

I spoke with chambers, and I have the following dates for a continued hearing:

May 26-28<sup>th</sup>

The entire week of June 14<sup>th</sup> to June 18<sup>th</sup>

July 5<sup>th</sup> to 9<sup>th</sup> or

July 14-16.

Let me know if any of those dates work, and I will draft a stipulation and order.

Best regards,

**Matthew J.P. Johnson**  
Trial Attorney  
United States Department of Justice  
Office of the United States Trustee  
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**From:** Daniel Garrison <[info@protegolaw.com](mailto:info@protegolaw.com)>  
**Sent:** Wednesday, December 2, 2020 3:21 PM  
**To:** Johnson, Matthew J. (USTP) <[Matthew.J.Johnson@UST.DOI.GOV](mailto:Matthew.J.Johnson@UST.DOI.GOV)>  
**Subject:** Re: McAvity Check-In

I'll just call your cell. I tend to forget that just dialing someone up is still an option.

***Daniel E. Garrison, Esq.***  
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On Dec 2, 2020, at 4:19 PM, Johnson, Matthew J. (USTP)  
<[Matthew.J.Johnson@usdoj.gov](mailto:Matthew.J.Johnson@usdoj.gov)> wrote:

We cannot Zoom from our work computers. A conference line is fine, or you can call me on my cell. 202-573-6952.

Matt

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**From:** Daniel Garrison <[info@protegolaw.com](mailto:info@protegolaw.com)>  
**Sent:** Wednesday, December 2, 2020 3:14 PM  
**To:** Johnson, Matthew J. (USTP) <[Matthew.J.Johnson@UST.DOI.GOV](mailto:Matthew.J.Johnson@UST.DOI.GOV)>  
**Subject:** Re: McAvity Check-In

I forgot that I now have an hour on you. Yes—3:30 works. Can you do Zoom, or should I send a conference number?

***Daniel E. Garrison, Esq.***  
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On Dec 2, 2020, at 4:06 PM, Johnson, Matthew J. (USTP)  
<[Matthew.J.Johnson@usdoj.gov](mailto:Matthew.J.Johnson@usdoj.gov)> wrote:

Could we do 3:30?

Matt

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**From:** Daniel Garrison <[info@protegolaw.com](mailto:info@protegolaw.com)>  
**Sent:** Wednesday, December 2, 2020 3:04 PM  
**To:** Johnson, Matthew J. (USTP) <[Matthew.J.Johnson@UST.DOI.GOV](mailto:Matthew.J.Johnson@UST.DOI.GOV)>  
**Subject:** RE: McAvity Check-In

Matt:

The day's gotten away from me today. I could talk late tomorrow afternoon (say, after 4). Would that work for you?

Thanks. -Dan

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**From:** Johnson, Matthew J. (USTP) <[Matthew.J.Johnson@usdoj.gov](mailto:Matthew.J.Johnson@usdoj.gov)>  
**Sent:** Wednesday, December 2, 2020 1:02 PM  
**To:** Daniel Garrison <[info@protegolaw.com](mailto:info@protegolaw.com)>  
**Subject:** RE: McAvity Check-In

Dan,

I think this probably got lost in the holidays. Do you have time to talk? Our discovery cut off is coming up, and I am probably going to want to talk with Mr. McAvity at some point too.

Thanks,

Matt

**Matthew J.P. Johnson**

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**From:** Johnson, Matthew J. (USTP)  
**Sent:** Wednesday, November 25, 2020 10:11 AM  
**To:** Daniel Garrison <[info@protegolaw.com](mailto:info@protegolaw.com)>  
**Subject:** RE: McAvity Check-In

I am free almost all Monday. Do you have a preferred time?

Matt

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**From:** Daniel Garrison <[info@protegolaw.com](mailto:info@protegolaw.com)>  
**Sent:** Wednesday, November 25, 2020 9:08 AM  
**To:** Johnson, Matthew J. (USTP) <[Matthew.J.Johnson@UST.DJO.GOV](mailto:Matthew.J.Johnson@UST.DJO.GOV)>  
**Subject:** McAvity Check-In

Matt:

Do you have time over the next few days for a quick call to discuss the pending discovery? Tom's making good progress, but between the volume of information sought (both in terms of timeframe and number of cases), we're not going to be able to meet a normal 30-day production schedule. We do have some of the information ready to go (or very close)—for example, we've scanned all of the wet signatures. I've got to still coordinate with Tom's paralegal to make sure we're redacting and Bates numbering so that we can manage what is going to be a pretty substantial production.



In any case, I'm pretty tied up today, but pretty free Monday afternoon and most of the day Tuesday and Wednesday. Let me know when you have some time.

Thanks. -Dan

***Daniel E. Garrison, Esq.***

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